

**JUDGE DANIELS** **ORIGINAL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X  
:  
UNITED STATES OF AMERICA  
:  
- v. -  
:  
WILLARD LANHAM,  
a/k/a "Ross Lanham,"  
:  
Defendant.  
:  
- - - - - X

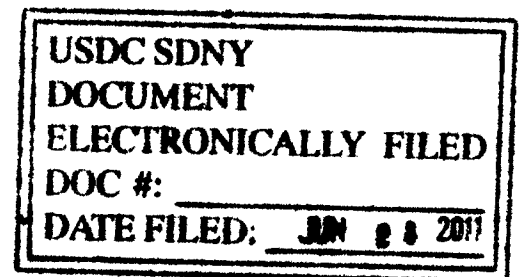
INDICTMENT

**11 CRIM 548**

COUNT ONE

The Grand Jury charges:

1. From at least in or about January 2002, up to and including in or about October 2008, in the Southern District of New York and elsewhere, WILLARD LANHAM, a/k/a "Ross Lanham," the defendant, being an agent, manager, and representative of a local government agency, to wit, the New York City Department of Education (the "DOE"), that received, in any one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, willfully and knowingly embezzled, stole, obtained by fraud, intentionally misapplied, and without authority knowingly converted to the use of persons other than the rightful owners, property valued at more than \$5,000 and that was under the care, custody, and control of the DOE, to wit, LANHAM, while working as a consultant for the DOE, knowingly converted



to his own use, without authority, approximately \$3.6 million in DOE funds that were intended to provide internet access to New York City public schools.

(Title 18, United States Code, Sections 666(a)(1)(A) & 2.)

COUNT TWO

The Grand Jury further charges:

2. From at least in or about January 2002, up to and including in or about October 2008, in the Southern District of New York and elsewhere, WILLARD LANHAM, a/k/a "Ross Lanham," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme or artifice and attempting to do so, did place in a post office and authorized depository for mail matter, a matter and thing to be sent and delivered by the Postal Service and did deposit and cause to be deposited a matter and thing to be sent and delivered by private and commercial interstate carrier, and did take and receive therefrom, such matter and thing, and did knowingly cause to be delivered by mail and such carrier according to the direction thereon, such matter and thing, to wit, LANHAM made material misrepresentations and material omissions to the DOE and individuals at companies receiving DOE funds about a

company LANHAM owned and operated and about consultants working on DOE projects that LANHAM managed for the DOE as part of a scheme to receive approximately \$3.6 million in DOE funds to which LANHAM was not entitled.

(Title 18, United States Code, Sections 1341 and 2.)

**FORFEITURE ALLEGATION**

3. As a result of committing the offenses alleged in Counts One and Two of the Indictment, WILLARD LANHAM, a/k/a "Ross Lanham," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the said offenses.

**Substitute Asset Provision**

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982, and Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

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Defendant.

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INDICTMENT

11 Cr. \_\_\_\_\_

(18 U.S.C. §§ 666, 1341)

PREET BHARARA  
United States Attorney.

A TRUE BILL

Foreperson.

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June 28, 2011

Filed Indictment. Case assigned to Judge Daniels

U.S.M.S. Debra Freeman.